

REMARKS

Claims 1-8 were examined and reported in the Office Action. Claims 1-8 are rejected. Claims 1-8 remain.

Applicant requests reconsideration of the application in view of the following remarks.

It is asserted in the Office Action that Claims 1-8 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter. In response, Applicant respectfully notes that as to Claims 1-4, it is clear that this rejection is in error since such claims are directed to an open loop pitch estimation device, and not a process which solves mathematical problem or manipulates abstract ideas or concept as asserted by the Examiner. Although Claims 4-7 are process claims which arguably are directed to solving a mathematical problem, the prior claim amendment, filed on October 24, 2007, added a practical application, namely producing a synthesized-speech signal. As to the separate rejection directed to Claim 8 contending that the specification defines the term computer usable medium as including carrier waves, it is noted that such reference in the specification was deleted in the response to Office Action filed June 6, 2007.

Accordingly, Applicant respectfully requests withdrawal of the rejection to Claims 1-8 under 35 USC 101.

In view of the foregoing, it is submitted that claims 1-8 are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a

telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated:

4/7/08

By:


Eric S. Hyman, Reg. No. 30,139

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(310) 207-3800

CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April , 2008


Linda Metz

4-8-08
April 8, 2008